

I thank Secretary of Energy Moniz for his assistance in what we built. What we have in front of us and what we are recognizing today is truly a strong, committed process that yielded a strong product.

I wish to acknowledge the very, very hard work of our staffs. We all know we cannot do what we need to do as Senators without good people backing us at every turn. I am extraordinarily fortunate as chairman of the Energy and Natural Resources Committee to have a team on the majority's side that is not only extraordinarily hard-working, but they are all amazing experts when it comes to the energy space.

I wish to particularly recognize my staff director, Colin Hayes. Colin came into this Energy bill midway. He came on as my staff director at the first of the year after my previous staff director, Karen Billups, who had served on the Energy Committee for close to 25 years, retires. So we had that experience and expertise leaving—and Karen worked so hard to help craft so much of this bill, but then we needed the technician to move it through this process, and Colin Hayes stepped up in an extraordinary and remarkable way, and I thank him for all he did to guide us here.

I wish to recognize the others on my Energy Committee staff: Pat McCormick, Brian Hughes, Kellie Donnelly, and Lucy Murfitt.

I want to give a special shout-out to Lucy because she was able to help navigate some of the issues that perhaps were not seen upfront and in person, but behind the scenes were very important, not the least of which was the amendment we took a voice vote on yesterday relating to the wild horses in North Carolina. Managing interesting issues and doing it deftly was Lucy's strong suit.

I thank Severin Randall. I also thank Annie Hoefler, who made sure anything I needed in my book was there, Michael Tadeo, Tristan Abbey, Chester Carson, Isaac Edwards, Heidi Hansen, Chris Kearney, Chuck Kleeschulte, Kip Knudson, Brianne Miller, Jason Huffnagle, Ben Reinke, Krystal Edens, Melissa Enriquez, Deanna Mitchell, and Karen Dildei. They are all members of our team on the Republican side who have been working day and night for weeks and months now.

But we can't work a bill as successfully as we have today without working hand-in-glove with your counterparts on the other side. Just as Senator CANTWELL and I worked together, our staffs worked together, and they were led very ably by Angela Becker-Dippmann. Angela came to the committee after being pulled out of another place at the request of Senator CANTWELL, and her guidance has been extraordinary. I greatly appreciate her work.

I wish to recognize the other members of the minority Energy Committee staff as well. Sam Fowler has been around since time immemorial guiding

us. I thank Rebecca Bonner, David Brooks, John Davis, Benjamin Drake, David Gillers, Rich Glick, Spencer Gray, Sa'Rah Hamm, Aisha Johnson, Faye Matthews, Scott McKee, Casey Neal, Bryan Petit, David Poyer, Betsy Rosenblatt, Samantha Siegler, Bradley Sinkaus, Carolyn Sloan, Rory Stanley, Melanie Stansbury, Al Stayman, Nick Sutter, Stephanie Teich-McGoldrick, and Brie Van Cleve.

This is kind of a list of Emmy Award winners in my book. But as good as our teams are, we need help here on the floor. The folks on the floor staff have been fabulous and extraordinary, and we thank them for their efforts. Laura Dove and Gary, thank you for what you have done. The other members of the Republican floor staff—Robert Duncan, Chris Tuck, Mary Elizabeth Taylor, Megan Mercer, Katherine Kilroy, Tony Hanagan, and Mike Smith—are great people to work with, and we appreciate their guidance.

We had good, strong support from the leader's office. Neil Chatterjee was a kind of energy whisperer for many of us and was a great help, as well as Kate Sterne and Monica Popp with Senator CORNYN's office, Eric Ueland and Becky Cole on the Budget Committee, Heather Burnham and Christina Jacquet at Senate Legislative Counsel, and Megan Carroll and Kathy Gramp at the Congressional Budget Office.

I am proud of the work so many have done in getting us here. We are looking forward to sitting down with our counterparts on the House side and getting to work to make sure the benefits we have achieved today in the Senate are replicated with our colleagues in the House so that we can see passage of an energy bill by both bodies and signed into law by the President.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask consent that I be permitted to make some remarks followed by the Senator from California, after which the Senate would go back into a quorum call.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that Senator FEINSTEIN and I be allowed to speak, me first and Senator FEINSTEIN second.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ENERGY AND WATER DEVELOPMENT APPROPRIATIONS BILL

Mr. ALEXANDER. Mr. President, in the next few minutes, Senator FEINSTEIN and I will submit for the Senate's consideration the first appropriations bill of the year. This will be the Energy and Water appropriations bill. It will be the earliest that any appropriations bill has been submitted since the Budget Act was passed in 1974. This is a good sign for the Senate. It means we are serious about our most basic constitutional responsibilities, which is the oversight of the spending of money, the setting of priorities, and doing it in a way that allows every Senator to participate.

I am privileged to be able to work with Senator FEINSTEIN, who is able to come to a result after we have examined an important piece of legislation. She has a background as a manager, as a mayor, as a chairman of important committees, and I am very privileged to have the chance to work with her, whether we are in the majority or the minority.

Before I talk about the bill specifically, since this is the first bill, I wish to say a few words about the money we are spending. This year the Budget Control Act, which the Senate adopted in 2015—which was the law passed by the Senate by a vote of 64 to 35, October 30 of last year. This year the Budget Control Act sets the amount of money we are to spend at \$1.07 trillion. Our bill, the Energy and Water bill, will be \$37.5 billion of that approximately \$1 trillion. However, the entire Federal budget is a lot more than \$1 trillion. In fact, it is four times as much. The entire Federal budget this year is \$3.9 trillion—nearly \$4 trillion.

We are talking about appropriated dollars of about \$1 trillion, plus about 3 trillion other dollars we will spend this year through the Federal Government. Those dollars are what we call mandatory or automatic spending, plus interest on the debt.

Federal health care spending, as an example, is about \$1 trillion. It is about the same amount as all of the 12 appropriations bills that will be considered. The Centers for Medicare & Medicaid Services head, Mr. Slavitt, is in charge of spending about \$886 billion every year—almost all mandatory spending. The part of the budget we are talking about, and we will be talking about for the next 12 weeks, is one-fourth of the total Federal spending.

I thank Senator MCCONNELL, the majority leader, for making this a priority. I thank Senator REID, the Democratic leader, for suggesting to Senator MCCONNELL and to all of us on behalf of the Democrats that they, too, want to see us move through the process. This gives the American people a chance to see how we spend their money.

The American people care about how we spend their money because we have a big debt. There is a lot of talk about that debt, which is \$19 trillion. This year, the total revenues of the Federal

Government are about \$3.36 billion, but the spending is about \$3.9 trillion. Elementary school mathematics will show we are adding about \$534 billion more to our \$19 trillion debt this year.

It is important to point out that the spending we are talking about in this bill and the other 11 discretionary bills is not the problem. I would like to ask the Chair to look at the bottom line, the blue line. That is what we call the discretionary spending. That is the money the Appropriations Committee works on. That is the trillion dollars we are appropriating in these bills.

It has been flat since 2008, and it is rising at about the rate of inflation over the next 10 years, according to the Congressional Budget Office. If the entire budget had followed the path of that blue line on the bottom—that is the money we are in charge of in the Appropriations Committee—we would not have a debt problem. Look where the debt problem is coming from. That is the automatic mandatory spending, that red line. That does not even include the interest on the Federal debt. I have suggested in our conference that maybe what the Senate would want to do is turn the entire budget over to the Appropriations Committee because we are doing our job, and apparently the rest of the Senate—or all of us as a whole—is not doing its job and is running up a big Federal debt.

Senator FEINSTEIN and I have been presented an amount of money by the committee and by the Senate that we allocate. We have done that through four hearings. I will be talking about that. We have set priorities, we have cut wasteful spending, and we are beginning to get big construction projects under control.

We have eliminated funding for an infusion project in France. That saves \$125 million in a year, which we can then put on other priorities. We have the Uranium Processing Facility in Oak Ridge, TN, now on a project where it will be 90 percent designed before it is built, and it will be on time and on budget before it is finished.

We are working with the Armed Services Committee to try to do something similar with a mock facility in South Carolina. We have a red team—the kind of red team that helped us at Oak Ridge and South Carolina—working on the New Mexico construction projects. Working together, our oversight is saving the taxpayers money, staying within the budget, and I am glad to say we are not part of the debt problem.

Sometimes we as a full Senate will start working on that top line. Senator CORKER and I have a bill that would reduce that top-line growth by \$1 trillion over the next 10 years. The problem is, Senator CORKER and I are the only cosponsors of the bill, so we will not be talking about that much today.

I understand there may be an attempt to change the level of funding that we make, and I will talk about that at the time this afternoon when

the amendments come up. So everybody is thinking about that beforehand, No. 1, we are following the law. That is where our budgeting is. No. 2, the Budget Committee of the Senate has begun to start its budget process based upon the number that the law sets. No. 3, our appropriations bills are not the debt problem. The problem is the mandatory spending and interest on the debt, and sooner or later we need to deal with it.

Last Thursday Senator FEINSTEIN and I and the Senate Appropriations Committee approved the fiscal year 2017 Energy and Water Development appropriations bill by a unanimous vote of 30 to nothing. Thirty of the 100 Members of this body who are on that committee all voted for it.

This bill includes some items very familiar to the American people, things that they would like for us to fund properly, such as flood control; navigation on our rivers; deepening harbors, whether it is in California, Mobile, Charleston, or Savannah; rebuilding locks, whether they are in Ohio, Kentucky, Tennessee, or in inland waterways; the 17 National Labs, which are our secret weapon in job growth across our country; and supercomputing. We seek to lead the world in supercomputing, and it is another great source of job growth.

A big part of our budget has to do with nuclear weapons and national defense. At a time when our world is so unsafe, Americans are hoping we can deal with that.

We worked together in a fair and accommodating manner under challenging fiscal strengths to create a bipartisan bill. As I said earlier, the sum is \$37.5 billion, \$355 million more than last year. Reaching a bipartisan consensus wasn't easy. We received an allocation for defense spending that was higher than last year by \$1.163 billion but \$808 million lower for the non-defense parts of our budget.

The funding includes several Federal agencies that do important work, including the U.S. Department of Energy, the Nuclear Regulatory Commission, the Army Corps of Engineers, the Bureau of Reclamation, the National Nuclear Security Administration, and the Appalachian Regional Commission.

We also started with an unrealistic budget proposal from the President, which cut the Corps of Engineers by \$1.4 billion and proposed \$2.3 billion in new mandatory funding for the Department of Energy.

The bill Senator FEINSTEIN and I negotiated supports our waterways and puts us one step closer to doubling basic energy research, helps to resolve the nuclear waste stalemate, cleans up hazardous material at Cold War sites, and maintains our nuclear weapons stockpile. We also conducted intensive oversight of the President's budget request and the Department of Energy. As I mentioned earlier, we eliminated at least one low-priority program which will save about \$125 million to

reduce waste. That program, the International Thermonuclear Experimental Reactor, is located in France and started in 2005 with an initial cost of \$1.1 billion, but we have already invested that much and the project will not likely be completed until after 2025.

As I mentioned earlier, we worked together to keep the big uranium projects on time and on budget. It is now on time and on budget. It will be 90-percent designed before it is constructed, and we are also working together to control the MOX facility and the facility in New Mexico.

Mr. President, 77 Senators submitted requests to us, and we worked hard to accommodate the request of every Senator. We have had many other Senators who have come to us since then with amendments they would like to offer. Most Senators—I would say in the eighties—have something they think is important in this bill. If Senators decide we need to spend less money, I guess they need to be prepared to send us letters suggesting what they would like to take out of the bill, since we put letters into the bill based upon the amount of money the law said we should spend.

The last time the Senate passed this bill, the Energy and Water appropriations bill, under regular order was 2009. I look forward to a regular appropriations process.

At this time, I will briefly highlight a few parts of the bill. No. 1 is waterways infrastructure. The bill restores \$1.4 billion that the President proposed to cut from the Corps of Engineers. It sets a new record level of funding for the Corps in a regular appropriations bill. Many Senators have urged us to do this. There is not a funding line in the bill that has more support than the Army Corps of Engineers. The Corps rebuilds locks and dams, dredges our rivers and harbors, works to prevent floods and storm damage, and builds environmental restoration projects. If we had simply approved the President's request, the Corps would have received less than what Congress appropriated in 2006, setting us back more than a decade.

In Tennessee, we provided enough funding to continue building a new Chickamauga Lock in fiscal year 2017. Up to \$37 million will be available to the U.S. Army Corps of Engineers to continue work on the Chickamauga Lock. Only last month the Corps reiterated its most recent study that the Chickamauga Lock continues to be the fourth highest priority of essential American waterways to be rebuilt.

We included \$1.3 billion for the Harbor Maintenance Trust Fund. This is the third consecutive year we funded the Harbor Maintenance Trust Fund consistent with the funding level that Congress recommended in the Water Resources Development Act. This will permit us to deepen harbors, including Gulfport, Charleston, Mobile, Texas, Louisiana, Anchorage, Savannah, and harbors on the west coast.

Doubling basic energy research is a goal I have long supported and is one of the most important things we can do to unleash our free enterprise system.

Senator DURBIN and I worked together on an amendment to the Energy bill that increases the authorized funding levels for the Office of Science by about 7 percent per year, which would double the budget of the Office of Science from a little over \$5 billion today to more than \$10 billion in 10 years. That is basically the money that the U.S. Government spends on energy research. The Senate adopted our amendment by a voice vote, which demonstrates how much support there is for this goal. The President proposed to spend even more on energy research, including the Mission Innovation proposal, the pledge launched by the United States and 19 other countries at the climate summit in Paris, to double Federal clean energy research over the next 5 years. The problem is that President Obama's budget request proposed \$2.259 billion in new mandatory funding for the Department of Energy. However, his commitment to doubling Federal clean energy research with mandatory funding comes at the expense of other resources and other agencies, which is at best unhelpful and at worse misleading. It is wishful thinking, and everyone knows it is not going to happen. Instead, we focused on priorities for discretionary funding annually approved by Congress. That is the bottom line that is under control, and it is not the source of our Federal debt problems.

Our top priority was the Office of Science, which includes \$5.4 billion to support basic energy research—\$50 million more than last year. This is the second year we have been able to increase funding for the Office of Science, which sets a new record level for funding for that office in a regular appropriations bill. This puts us one step closer to doubling funding for Federal basic energy research.

The bill includes \$292.7 million for ARPA-E, an agency that invests in high-impact energy technologies. The funding is a little more than last year's \$1.7 million. The bill also supports the Department of Energy's continued efforts to advance exascale computing and includes a total of \$285 million to produce these next-generation computers.

Nuclear power provides about 20 percent of our country's electricity and 60 percent of our carbon-free electricity. If we are going to have the abundance of clean, cheap, reliable energy that we want and need, we need to unleash nuclear power by removing obstacles in its way.

Our legislation sends a strong signal about our support for new technologies in the next generation of nuclear powerplants. We included \$94.5 million for advanced reactors, \$21 million more than the President's budget request. We included \$95 million for small modular reactors, \$32.5 million over last year.

One way our bill helps is by taking important steps towards solving our country's stalemate over what to do with nuclear waste—a bipartisan issue and a goal that Senator FEINSTEIN and I agree on and have been working hard to accomplish. Our legislation, therefore, includes a pilot program, which was Senator FEINSTEIN's suggestion 3 years ago, for consolidated nuclear waste storage. She and I introduced that over the past 4 years. The new sites we are seeking to establish will not take the place of Yucca Mountain—we have more than enough useful fuel to fill Yucca Mountain to its legal capacity—but it would rather complement it. We also provide funding for the U.S. Department of Energy to store nuclear waste at private facilities approved by the Nuclear Regulatory Commission, such as the one proposed in West Texas.

We are also supporting research in this bill that will help continue the work that is necessary to safely extend nuclear power operating licenses from 60 to 80 years. In my view, that is the simplest, easiest way to have a large amount of new carbon-free electricity in the near term.

Finally, this legislation provides a total of \$12.9 billion for the National Nuclear Security Administration and fully funds the warhead life extension programs recommended by the Nuclear Weapons Council in the design of the Ohio-class replacement submarine. It also supports crucial weapons facilities related to our national security.

The bill provides \$575 million for the Uranium Processing Facility in Oak Ridge, TN. It keeps the project on track to be completed by 2025, at a cost of no more than \$6.5 billion.

The legislation also advances our efforts to clean up hazardous materials at Cold War sites. A total of \$5.4 billion is provided to support cleanup efforts, which is \$144 million above the President's budget request.

This bill adequately funds our Nation's energy and water priorities and fully complies with the spending limits established by the Budget Control Act. The Budget Control Act continues a line of spending for the appropriated dollars, which is the bottom line on the chart. The blue line on the chart, which has been flat since 2008 and only grows with the rate of inflation for the next 10 years according to the Congressional Budget Office, is not the source of the Federal debt problem. The rest of the line spends three times as much as the amount of money we are spending in the 12 appropriation bills we will be addressing for the next 2 weeks.

I thank Senator FEINSTEIN for her leadership and cooperation. I urge Senators to support the bill. We are already working on amendments with Senators that they seek to offer. We hope to begin voting on some this afternoon in an open amendment process and thereby proving that the appropriations process works.

The PRESIDING OFFICER (Mr. SULIVAN). The Senator from California.

Mrs. FEINSTEIN. Mr. President, I rise today to speak in support of the fiscal year 2017 Energy and Water Development appropriations bill.

I wish to begin by thanking my friend and colleague, Senator ALEXANDER. We have served together as chairman or ranking member of this subcommittee for the past 5 years. I know of no one in this body who is more intelligent or has a greater sense of fairness. I just want Senator ALEXANDER to know what a great treat it has been to work with him for 5 years. I think we have a bill that will stand the test of time. Each of us has had different views on different parts of the bill, but that is part of what makes this a great country.

I say to Senator ALEXANDER, I just want to thank you for being who you are and thank you for being the kind of U.S. Senator you are. Thank you very much.

As the chairman mentioned, this bill has reached the floor for the first time since 2009. It is also being considered as an appropriations bill on the floor with the quickest time since the budgeting process began in 1974. I just want to say thank you to our leadership on both sides for the desire to get us back to regular order and particularly on appropriations bills.

I wish to thank all of my colleagues on the Appropriations Committee for supporting this bill during last week's markup. As the chairman said, the vote was 30 to nothing, and that is a pretty good vote, so I thank my colleagues very much.

I believe this is a good bill. It is a fair bill. It does contain trade-offs and hard choices, and we have worked together to settle differences. Obviously, the chair is the chair and those views come No. 1, but in the case of this chair, he has been eminently fair and I am very grateful for that.

As he said, our allocation is \$37.5 billion. That is a \$350 million increase over fiscal year 2016, and given the top line budget constraints, this is a good allocation.

Let me first speak about the defense portion of the bill. Defense spending in this bill is \$20 billion, a \$450 million increase over fiscal year 2016. Our defense spending includes funding for cleaning up the environmental legacy of the cold war, maintaining our nuclear deterrent, supporting our nuclear Navy, and partnering with allies to keep nuclear materials out of the hands of terrorists.

Funding for our nuclear deterrent this year is \$9.3 billion, \$438 million above last year and equal to the President's budget request.

The science and engineering activities needed to maintain the nuclear stockpile without explosive testing are fully funded at \$1.8 billion. The life extension programs for our nuclear warheads are also fully funded, including for the new cruise missile warhead, which I will speak to a little bit more in a moment.

I wish to take a moment now, though, to discuss my concerns with the long-range standoff weapon, or the LRSO. I believe the Defense Department is wrong when it argues that this isn't a new nuclear weapon. I think it is, and it carries with it powerful ramifications. The LRSO would carry an upgraded W80 warhead capable of immense destruction, and it would be fitted on to a new missile specifically designed to defeat the world's most advanced missile defense systems.

I firmly believe that the LRSO is unnecessary. The United States has already developed and fielded a conventional cruise missile specifically designed to do the same job as the LRSO. Furthermore, the United States has a variety of nuclear ballistic missiles that can reach any target anywhere in the world.

Why do I feel so strongly about this? It is very personal with me. I am one of the few who have seen this. I was 12 years old when the United States of America—my country—dropped nuclear weapons on Hiroshima and Nagasaki. As the hundreds of thousands of bodies were seared with burns as the radiation spread, I have never quite gotten over what happened. I have reached the concept that nuclear weapons are really bad for this world. I will not go into it. When we see countries like North Korea practicing tests and other countries struggling to get a nuclear weapon and the high likelihood of terrorists also seeking out radioactive materials, I am very concerned about the probable use of this missile.

In a letter sent 2 years ago, Under Secretary of Defense Frank Kendall wrote the following: "Beyond deterrence, an LRSO-armed bomber force provides the President with uniquely flexible options in an extreme crisis."

This suggestion—that nuclear weapons should be a "flexible" option—is alarming. We should never lower the threshold for using nuclear weapons. In fact, I believe we can further reduce the role of nuclear weapons while still maintaining their deterrent effect by terminating the LRSO and instead relying on conventional nonnuclear weapons.

Obviously, this is a point of disagreement between the two of us. This is why I am very thankful to the chairman. He has agreed to include language in the committee report requiring Energy Secretary Moniz and the Nuclear Weapons Council to provide more information on this warhead, including its military justification and the extent to which conventional weapons systems can meet the same objectives. I think we should have that material.

I am also grateful to Senator ALEXANDER for his commitment to hold a subcommittee hearing on the new nuclear cruise missile. I believe this issue hasn't received the attention it deserves, and it requires some public discussion. So I want to say thank you to him. I have yielded to his point of view and exchange. I actually am happy

with the report language and the hearing. So I thank the chairman very much.

Going back to the nonproliferation account, it is funded at the President's requested level of \$1.8 billion. But this is a \$120 million decrease from last year, and I hope we can do better next year.

Work with Russia on securing material and facilities in that country has slowed, but other threats remain at home and abroad, and I believe we should be investing more.

Funding for the environmental clean-up of legacy cold war sites is the highest it has been in many years—and that is very good—at \$5.4 billion, which is a \$126 million increase above last year. This reflects the importance this subcommittee has placed on addressing environmental contamination at sites in Washington, New Mexico, South Carolina, and Tennessee. I thank the chairman for what he said about putting a pilot nuclear waste facility reference in our bill. Nuclear waste is piling up all over this country, with no good place for it to go. I can reference my State alone.

Southern California Edison, a huge utility serving over 16 million people, has had two big nuclear reactors, each one 1,100 megawatts. They are now in the process of decommissioning those reactors. This facility sits in the heart of an urban area, and there are now 3,300 hot plutonium rods in spent fuel pools at that facility site. We need a place for nuclear waste in this country because it is very dangerous to have it spread all over and to have decommissioned reactors with hot plutonium waste in spent fuel pools right on the coast of the Pacific Rim where we see earthquakes happening, not the least of which was in Ecuador and a recent quake in Japan.

Now let me turn to the nondefense half of the bill. Our nondefense allocation this year is \$17.5 billion, and that is roughly a \$100 million decrease from fiscal year 2016. One of the anomalies of this portfolio is the fact that as defense goes up, it crowds out the nondefense—important things like the Army Corps of Engineers, important things like the Office of Science. So our nondefense allocation is at \$17.5 billion.

Despite this, the bill maintains funding levels for basic scientific research, energy technology development, and water infrastructure. Funding for the Department of Energy's Office of Science sees a modest increase of \$50 million to \$5.4 billion this year.

The Office of Science is the largest single funder of physical science research in the United States—think of that—and supports research at 300 universities in all 50 States. Its experimental facilities host more than 24,000 researchers each year.

Funding for the Office of Energy Efficiency and Renewable Energy is \$2.1 billion, equal to fiscal year 2016, and that program funds activities to develop the technology that makes our

homes, cars, and factories more efficient. It lowers the cost of renewable energy sources like solar and geothermal.

While I wish we could have funded the President's proposed mark for Mission Innovation climate change, I want my colleagues to know that we did the best we could, but we were simply unable to make it work with the allocation we received.

The chairman mentioned the Army Corps of Engineers. With the highway program and the Army Corps, this is really the Federal infrastructure program, and it is funded at \$6 billion. This is a historic high. It maintains level funding for the Bureau of Reclamation at \$1.275 billion. In particular, the bill provides an estimated \$1.3 billion from the harbor maintenance trust fund. That is the highest level ever.

While users of our Nation's harbors and ports pay into the fund, the money does not get disbursed by itself, and it is up to us to appropriate the money out of the fund. This has been a challenge under current budget caps, and it has been a challenge to me because my State—California—pays approximately 40 percent of the fund's receipts each year but gets shortchanged by the disbursement formula. So I am very pleased that the chairman and the members have agreed to provide an additional \$50 million for energy ports and donor ports like L.A.-Long Beach and Seattle-Tacoma that otherwise see little benefit from the harbor maintenance trust fund.

The bill, once again, includes \$100 million for the Bureau of Reclamation's Western Drought Response program. Ten of the 17 reclamation States are currently suffering from severe to exceptional drought conditions that have devastated the agricultural industry, left some rural communities without any water for drinking or bathing, and killed tens of millions of trees that could lead to yet another catastrophic wildfire season in these 10 States. We in California had hoped that El Nino storms would refill California reservoirs, but the drought persists and will persist. It is estimated that we need a snowpack, just for point of interest, of 150 percent of the average by April 1 in order to end the drought, and the snowpack was only 87 percent of the historical average. Therefore, this \$100 million is critical to operating water systems more flexibly and efficiently, restoring critical wetlands and habitat, and ensuring that the best science and observational techniques are being brought to bear.

The bill also makes critical investments in new water supply technologies to help mitigate the current drought and lessen the impacts of future droughts such as desalinization, water recycling, and groundwater recharge.

As Members begin to bring amendments to the floor, I very much urge my colleagues, particularly on this

side, to exercise restraint, particularly with policy amendments. The Senate has just completed a broad energy authorization bill, and I understand that the Environmental and Public Works Committee will soon be drafting a Water Resources Development Act. So I want my colleagues to know that the subcommittee has had to make some tough choices, but these decisions were made in a bipartisan way and have led us to draft a balanced bill, one that I believe and hope should satisfy Members on both sides of the aisle.

I thank the chairman and the Presiding Officer, and I yield the floor.

#### ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The PRESIDING OFFICER. Under the previous order, the motion to invoke cloture on the motion to proceed on H.R. 2028 is withdrawn and the Senate will proceed to the consideration of H.R. 2028, which the clerk will report.

The bill clerk read as follows:

A bill (H.R. 2028) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for energy and water development and related agencies for the fiscal year ending September 30, 2016, and for other purposes, namely:*

##### TITLE I

#### CORPS OF ENGINEERS—CIVIL DEPARTMENT OF THE ARMY CORPS OF ENGINEERS—CIVIL

*The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.*

##### INVESTIGATIONS

*For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects, and related efforts prior to construction; for restudy of authorized projects; and for miscellaneous investigations, and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, \$109,000,000, to remain available until expended.*

##### CONSTRUCTION

*For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those*

*involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to construction); \$1,641,000,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104-303; and of which such sums as are necessary to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects shall be derived from the Inland Waterways Trust Fund, except as otherwise specifically provided for in law.*

##### MISSISSIPPI RIVER AND TRIBUTARIES

*For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, \$330,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.*

##### OPERATION AND MAINTENANCE

*For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, \$2,909,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104-303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: Provided, That 1 percent of the total amount of funds provided for each of the programs, projects, or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall allocate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects, or activities.*

##### REGULATORY PROGRAM

*For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, \$200,000,000, to remain available until September 30, 2017.*

##### FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

*For expenses necessary to clean up contamination from sites in the United States resulting*

*from work performed as part of the Nation's early atomic energy program, \$101,500,000, to remain available until expended.*

##### FLOOD CONTROL AND COASTAL EMERGENCIES

*For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, \$28,000,000, to remain available until expended.*

##### EXPENSES

*For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, \$178,000,000, to remain available until September 30, 2017, of which not to exceed \$5,000 may be used for official reception and representation purposes and only during the current fiscal year: Provided, That no part of any other appropriation provided in this title shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: Provided further, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.*

##### OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

*For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), \$3,000,000, to remain available until September 30, 2017.*

##### GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

*(INCLUDING TRANSFER AND RESCISSION OF FUNDS)*

SEC. 101. (a) None of the funds provided in title I of this Act, or provided by previous appropriations Acts to the agencies or entities funded in title I of this Act that remain available for obligation or expenditure in fiscal year 2016, shall be available for obligation or expenditure through a reprogramming of funds that:

(1) creates or initiates a new program, project, or activity;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the House and Senate Committees on Appropriations;

(4) proposes to use funds directed for a specific activity for a different purpose, unless prior approval is received from the House and Senate Committees on Appropriations;

(5) augments or reduces existing programs, projects or activities in excess of the amounts contained in subsections 6 through 10, unless prior approval is received from the House and Senate Committees on Appropriations;

(6) INVESTIGATIONS.—For a base level over \$100,000, reprogramming of 25 percent of the base amount up to a limit of \$150,000 per project, study or activity is allowed: Provided, That for a base level less than \$100,000, the reprogramming limit is \$25,000: Provided further, That up to \$25,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(7) CONSTRUCTION.—For a base level over \$2,000,000, reprogramming of 15 percent of the base amount up to a limit of \$3,000,000 per project, study or activity is allowed: Provided, That for a base level less than \$2,000,000, the reprogramming limit is \$300,000: Provided further,